

PROCLAMATION

BY THE

Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

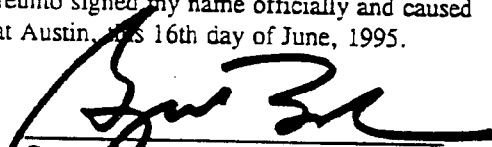
Pursuant to Article IV, Section 14, of the Texas Constitution, I, George W. Bush, Governor of Texas, do hereby disapprove and veto House Bill 2987 because of the following objections:

House Bill 2987 would remove the Texas Supreme Court and the State Bar of Texas from their historical role of protecting the citizens of Texas from unprofessional and unethical conduct by lawyers. The Bill provides that the Texas Supreme Court cannot pass rules that interfere with an attorney's ability to contract for legal fees or that discourage competition among attorneys to provide legal services. This Bill would call into question the following: (i) Rule 1.04 of the Texas Disciplinary Rules of Professional Conduct, which provides that an attorney in Texas may not charge a client an unreasonable fee; and (ii) the recently enacted lawyer advertising rules. Rule 1.04 was modeled on a rule suggested by the American Bar Association, passed overwhelmingly by State Bar members through a statewide referendum, and promulgated by a unanimous Texas Supreme Court in 1990.

This Bill is contrary to sound public policy because it is so broadly drawn. A more concisely-phrased Bill, supported by the State Bar, could more accurately address the policy concerns underlying this legislation; namely, the Texas Supreme Court's authority to pass rules that interfere with the freedom of contract. The existing body of rules enacted by the Court reveal, however, that the Court, to date, has not adopted a rule which improperly infringes upon a lawyer's freedom to contract.

IN TESTIMONY WHEREOF, I have hereunto signed my name officially and caused the Seal of the State to be affixed hereto at Austin, this 16th day of June, 1995.




George W. Bush
Governor of Texas